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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 500
DENVER, CO 80202-2466
<http://www.epa.gov/region08>

SDMS Document ID



1023334

JUL 16 2001

Ref: 8ENF-L

SENT VIA REGULAR MAIL

Mr. Glenn Rogers, Chairman
Shivwits Band of Paiute Indian Tribe
P.O. Box 448
Santa Clara, UT 84765

Re: Request for Comments on Soil Sampling and
Analysis Work Plan Submitted Per EPA's
Order Requiring Monitoring, Testing, Analysis
and Reporting for the Hecla Pond

Dear Chairman Rogers:

Enclosed for the Shivwits Band review and comment is the Soil Sampling and Analysis Work Plan ("Work Plan") submitted by Hecla pursuant to EPA's Order Requiring Monitoring, Testing, Analysis and Reporting issued under Section 3013 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6934, for the Hecla Pond on September 22, 1999. This Work Plan supercedes the plan previously submitted by Hecla and provided to the Band for comment on February 16, 2000.

As previously explained in EPA's letter to you dated June 13, 2001, EPA and Hecla agreed for Hecla to dispense with additional soil and leachate sampling and submit a revised work plan that entails the drilling of two wells to determine the extent of saturation. This agreement was based on the parties' mutual acknowledgment that hazardous substances exist in the Hecla Pond. The parties agreed that further characterization of the waste as proposed in the original work plan was unnecessary and unhelpful to determining the extent of release, if any, outside of the Hecla Pond, and an appropriate closure remedy. The parties further agreed that the critical issue to both the closure and contamination questions is to discern the extent of seepage from the Hecla Pond into the subsurface bedrock and possibly the lower-lying aquifer. Once this issue is resolved, the parties can concentrate on how best to stop the seepage and remove the liquid from the wastepile. This is the scope of the revised Work Plan.

Included for your review is the Work Plan narrative. In addition, Hecla submitted as Attachments A, B and C a Quality Assurance Project Plan, a Health and Safety Plan and six sampling standard operating procedures. These Attachments are available for your review upon request. Please review the enclosed Work Plan and submit any comments which you may have



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no later than Monday, July 30, 2001, to Janice Pearson of my staff at the following address:

Janice Pearson
U.S. EPA Region VIII
999 18th Street, Suite 300
Denver, CO 80202-2466
Facsimile: (303) 312-6409

Please contact Ms. Pearson directly at (303) 312-6354 if you have any questions regarding this letter.

Sincerely,

A handwritten signature in cursive script, reading "Sharon L. Kercher". The signature is fluid and extends to the right with a long, sweeping tail.

Sharon L. Kercher, Director
Technical Enforcement Program

Enclosure